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THOUGHTS

UPON THE CONDUCT OF OUR ADMINISTRATION,

IN RELATION BOTH TO

GREAT BRITAIN AND FRANCE,

MORE ESPECIALLY IN REFERENCE TO THE LATE

NEGOTIATION, CONCERNING

THE ATTACK ON THE CHESAPEAKE.

—*—*—*—
BY A FRIEND TO PEACE.

Boston,

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1868.

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THE ATTACK ON THE CHINESE

IN A LETTER TO MR. A. H.

JOHNSON

PRINTED BY THE UNIVERSITY PRESS

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EDITOR'S PREFACE.

IT ought not to be necessary to apologize for any attempt to enlighten the people, as to their true interests; in other countries, it would not be so. But by some singular fatality, a notion has prevailed here, and more especially among those who style themselves by way of eminence, Republicans, that the maxims which the Ancients applied to the dead, should apply to ourselves—"Nil nisi bonum de Nobis." "Let us hear nothing of ourselves, but what is flattering." Hence that excessive national vanity, that extravagant miscalculation of our resources, our power, our means of annoyance, our national spirit, which nothing but misfortune can ever correct.

If as a nation we are thus liable to err, and especially if, as our Constitutions of Government presume, our rulers may either mistake, or be corrupted, deceive or betray us, it is important that we should have the whole truth laid before us, in order that we may correct these errors, either in ourselves or in them. The grossest mistakes have been made by the people of this country, as to the real dispositions of the two great belligerent nations. We have been taught to consider France as our friend—Great-Britain as our enemy: France as favourable to the freedom of the seas; Great-Britain its foe. It would have been happy if we could have said, that our Administration has done nothing to rivet these radical mistakes. But events have partly done what reason alone could never have effected. The headstrong and successful ambition of BONAPARTE has torn away a part of the veil, and it only behoves us to examine with impartiality what is disclosed to us, and we shall be cured of that dreadful malady, our attachment to France.

With a view to aid in this object, these thoughts are committed to the press. If it be asked, why the subject of the Chesapeake and the rejection of Mr. ROSE's honourable offers is again brought before the publick, and at this day?—the answer has been already anticipated. No people are so unwilling to hear the truth, as those who are inflamed with passion. Our anger and our self love were so excited when these things were recent, that the still, calm voice of reason could not be heard. But since it appears from some late events, that the People begin to consider, and to reject the hot-headed counsels and passionate appeals of some zealous partizans, it is possible that the views, which are herein exhibited, may have a salutary effect. This may be relied upon, that they are the words of truth and soberness, the fruit of much reflection, and of no ordinary share of experience in the affairs of the world.

THOUGHTS, &c.

THE Proclamation, excluding British men of war from American waters, is a self-assumed remedy, aimed against a nation, for the unauthorized act of *one of its officers*. Mr. Madison allows, that the President conceived the act of this officer unauthorized, from the first ; that dates seemed to shew this ; that the British had before disavowed an act of this sort, in the case of the United States' vessel, Baltimore ; that had general hostilities been meditated, they would have commenced them in a different form ; and that the British, as having a large navy, had no interest in establishing a principle of this sort, since it would authorize inferiour powers to search her ships of war. The British government, on the other hand, has disavowed both the act and the principle, before it was asked to do it ; and has continued to disavow both, in every channel it could employ ; namely, by the conferences of its secretary of state for foreign affairs ; by speeches in Parliament ; by a speech from the throne ; by a publick proclamation ; by a special minister ; and by a crowd of official letters. This too it has done, not on present and temporary principles, but on the past principles of nearly a century, now therefore become habitual. The British nation is therefore made to suffer, in the place of an individual, who, however rash and unjustifiable, did nothing more than Commodore PEARLE would have done in the same situation, and nothing more than the officers of other powers have done substantially to some of our national vessels, or *their crews*, who yet have not been noticed. In the mean time, the great offending *individual*, Admiral BARKLEY, by the manner in which things are conducted, stands a chance of escaping an adequate punishment whatever. If the acts of this officer, however, were those of an *individual*, the acts of Mr. JEFFERSON are those of a *government* ; and having been deliberately adopted and continued, will be considered as such, by the British and by posterity.

The claim of Captain Bradley to dominion within his *buoys*, is probably conformable to his idea of the doctrine maintained in the case of the Chesapeake ; Captain Bradley insisting that a national vessel ought not to be entered by a foreign municipal officer, to serve a process of law.

In Captain Whitby's case, credible persons assert that this officer was able to prove an *alibi*, in consequence of his being on board the Cambrian ; that the shot was aimed at another vessel, which was *no coaster* ; and that it was not known, on board the Leander, for several days, that Pearce was hurt. The *Driver*, though included in the President's *first* proclamation against certain British vessels by name, had no concern with Whitby's squadron, but belonged to another station, and had gone off, or was going off, when the accident happened. If these facts be true, the President knew or might have known them, by the return of the witnesses, whom he sent to give evidence against Whitby, and should have told the publick the result, instead of complaining that he had heard nothing from the British. The British, as desired, tried Whitby for his life ; and the President has repeatedly complained, not of the *mode* of trial, but of the *acquittal* only. But what a dreadful system of equity is exhibited, when it is implied that a man must be guilty of murder, because the mob say so. As to the American evidence being sufficient to convict Whitby, as Mr. Madison affirms, it is plain that the fact *may* have been otherwise ; for how could they know where Whitby dined, or who gave the orders for firing the shot, or that the fatal stroke was not wholly accidental. The President seems to have expected the punishment of Whitby to be as much matter of course, as the punishment demanded by the Czar was proposed to be matter of course, for the insult offered to his minister in London, as mentioned in Blackstone. We acted with more magnanimity, at Boston, with respect to Captain Preston, who was tried and acquitted, in the midst of the very people who were offended.

The case of the *Impetueux* was under discussion, at London, when that of the Chesapeake was announced, and the consideration of it was in consequence deferred. It is said that

the British were, by the laws of war, masters of the *Impetueux*, in consequence of her having first grounded and struck in the high seas, and being there, in fact, given up to them ; and that having afterwards drifted on shore, she was burned as British property. But be this as it may, the case of the reparation given to Portugal, for Admiral Boscawen's violation of their neutrality, when in pursuit of an enemy's squadron, implies that like justice might have been done to the United States, in the case of the *Impetueux*, had it been claimable ; and is very good evidence of British fairness in these cases.

Captain Douglas, as Mr. Rose observes, had reason to expect hostilities, from appearances, when he came before Norfolk, and when that fear was over every thing became tranquil on his side.

With respect to the merit of the Proclamation, as a measure of precaution and security, in preference to seeking for the security to rise from new orders, issuing from the British government, it is easily discussed. The Proclamation prevented no injury on the high seas ; for it was *after the first* Proclamation, against the *Leander's* squadron, that the *Chesapeake* was attacked on the high seas. Deserters and seamen on the high seas may still be taken ; vessels detained ; accidental shots at unknown vessels, attempting to escape from search, may still do mischief. As little also is the Proclamation required as a measure of *Police*, for so Mr. Monroe calls it ; for the British lately have given little offence in port, having gone out of port to attack the *Chesapeake*, and having, while in port, surrendered deserters to American officers. The Proclamation then, instead of being a measure of precaution or of security, or of police, on the contrary, *prevents* atonement to the national honour, and renders peace and every thing else uncertain.

It is erroneous to say, that the President lost no time, in sending to Mr. Monroe. He did lose time ; perhaps because he was digesting provisional measures with TURREAU, a plan of which might have been forwarded to France, by the same vessel. In any event, Mr. Monroe learned all his first news on the subject from the British government, in London.

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The President affected to feel justified by the British precedents ; but incorrectly. He was not, like the British, content with *demands*. He took *active measures* ; and in this, departed from the British precedents, and lost all the benefit of the plea ; for the British never redressed their own wrongs in whole or in part. He *seems* not to understand the theory of the cases, in consequence of omitting to distinguish between government and its officers ; and of forgetting the conduct rendered necessary, where the scene of an offence is distant, with respect to either of the two governments concerned. Had he used his Proclamation as a precautionary measure, till the British dispositions on the subject were seen, and had it, when these were found favourable, been recalled, even this would have been hardly correct ; but it would have been less wrong than persisting in the Proclamation, when atonement was promised, and a special messenger sent to give it. The situation of the United States, with an ocean lying between them and the powers of Europe, makes it indispensable, that the true doctrine of the law of nations, in these cases, should be known accurately by those who guide our national affairs. If on a subject of the kind in question, we assume a right of self-defence, whether temporary or permanent, so will the European powers. Questions as to wrongs offered, and the remedies, will no longer be left between government and government, but will descend to the hands of individuals, and be decided according to private passions or private interests. The concerns of Turk's Island, Nootka Sound, and Falkland's Islands, mentioned by Mr. Madison, were each transactions consummated abroad in all their parts ; and when the news of them arrived, Britain added to them no new act of her own ; but made a mere demand, that every thing should be put into its former condition ; a demand which was complied with. These were affairs of words, not of acts ; and Great Britain assumed no right, in the first instance, of taking to herself redress, precaution or security, or any thing of the kind. Consequently every case, cited from the British makes against us, and for the British. These, it may be added, appear settled points, in Europe ; and are not so here, because our government is new.

There is another reason against resorting to overt acts, before negotiation has been tried, and it much concerns the tranquillity of nations that it should be generally and habitually observed. While things hold the shape of discussion, considerations of prudence may operate on both sides, arguments and pretensions canvassed in Cabinets being easily retracted ; but not so overt acts, which pledge the authors of them to their subjects, their antagonists and the world at large, including posterity.

The proposition for engaging the British government to make the experiment of giving up the search of merchant vessels for their seamen, is expressed in terms of levity, in which it is dangerous to indulge in a national document. If Mr. Fox's administration, however, *really thought of tempering* on this head, other administrations in England are not likely to follow the example. The laws of modern maritime nations universally allow the search of merchant vessels, in order to detect enemy's property and men ; and for a still stronger reason may they search them to detect their *own* men, and above all, their own *deserters*. All seamen, it must also be remembered, by universal consent, are considered as military men ; these and a few marines making the whole crews of vessels of war, consequently the search after seamen is not a branch of *municipal* law, as Mr. Madison asserts ; but of belligerent and general law. All foreign nations act upon this rule, both for seamen and for deserters ; and so will America for deserters, at least, in cases of war occurring on her side. On the whole, it is a very dangerous experiment to attempt a course of action against the usual laws of nations, in matters respecting a state of war. A wantonness of legislation in this respect, without regard to established practice, even for introducing pacifick maxims, may lead to war, before we are aware of it. Our President may propose new laws at home, which his Congress may adopt ; but abroad, we must, for the present, follow the laws observed by others.

It is not necessarily true, that in the final adjustment of a dispute, every thing is to be given up to the party *first* injur-

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ed. If self-reparation has been attempted in the interim, and assumed in too high a tone and measure, deduction may be claimed for this. Besides, as far as regards the Chesapeake, the first offence lay in harbouring deserters; next in denying their being on board; and lastly in going to sea with a part of them, in face of the very squadron, from which they were obtained. This might be enforced by observing, that Britain, on the other side, expresses "sorrow" and "regret" at the issue; disavows the act of her officer; gives fixed orders as to the future; directs a delicate conduct in searching merchantmen, on the personal responsibility of the Captain; and sends a special minister of apology to America, without obtaining a single stipulation on her side beforehand. The first thing which she asked, namely a separation of questions, was for a time refused; and the second proposition for a recall of the Proclamation, was rejected, unless upon conditions.

It must not be said that there were *other* grievances to be complained of to this special minister; for Mr. Monroe had agreed to lay aside the mention of any, except the two questions as to the Chesapeake and as to the search; and Mr. Madison had abandoned the question as to the search also, saying that "*separation* (that is of the question) was fully accomplished." Mr. Madison, however, perpetually referred Mr. Rose to other matters. He also asserted that the grievance was even now continued, because the men taken were not returned; though as the men had been demanded by Mr. Monroe, and no objection was made on the subject, the surrender was of course, as to the three men still living.

Still less is it to be said, because Britain talks so much of the Proclamation, that she only sent a messenger to get the Proclamation withdrawn. For Mr. Rose refuses to obtain its recall by sacrificing what we call *punctilio*, as being contrary to his orders. Thus the British government prefers sentiment to interest; and thinks (as she thought of old, and as Mr. Madison commends her for thinking) that "reparation would lose its value by being conditional." Nor ought we to wonder at the affair breaking off upon a point of honour, for what is

the whole affair of the Chesapeake, on one side as well as the other, but a *point of honour*. The danger of allowing a power of self-reparation to operate, has been mentioned; and it is repeated that it is time that the people of this country should become sensible to this danger. Self-reparation was made in the case of Captain Whitby's squadron, without much inconvenience, because the concern was small; but even then, the measure ought to have been accompanied with an apology for using it; but when the measure is made general, and when from the distance of the two governments, it must last for many months, the case is widely changed. Thus, the general Proclamation, which was imposed in July 1807, has lasted nearly twelve months; while nothing has been done to shut out the French or Spanish navies from our ports, notwithstanding all their enormities:

Mr. Madison asserts that Mr. Canning's letter of September 23d, 1807, had in it "pregnant indications that other questions and conditions may have been contemplated, which would be found utterly irreconcilable with the sentiments of the American nation." This certainly ought not to allude to any of the following observations by Mr. Canning; which yet seem all to which it can allude; the rest having been repeated on other occasions, during the negotiation, without material comment.

First;—It is affirmed by Mr. Canning, that the *reason for inquiry* (made August 8th 1807) *as to the Proclamation*, was to ascertain the amount of reparation still due, if retaliation had occurred; and the rather, as the enemy's vessels of war still entered the American ports, from which those of the British were excluded. Secondly;—It was also asked whether the Proclamation would be withdrawn on the disavowal of the act of Admiral Berkley; the British always distinguishing between the Proclamation, as the *American* remedy assumed for this act, and the concessions to accompany this disavowal, as the *British* remedy offered for it. Thirdly;—It is also further asked, what was intended by saying that Admiral Berkley had acted, as if he had power to make war and decide the caus-

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es of war; for this being complained of by the President, it indicated the supposition of further circumstances existing, not yet known to the British ministry. Fourthly;—Though it is allowed that Admiral Berkley was in every event wrong, yet it is said, that if there were deserters in the case, the employment and the detention of British seamen, against consent, would be wrong, though a national American vessel were concerned in it; and would have become a matter between government and government (a phrase afterwards repeated) as being an act of hostility in itself, and as affecting the quantum of reparation. Fifthly;—If the question was to be governed by popular feelings, which are much referred to by Mr. Monroe, it is intimated that the American government, by referring so much to those feelings, would make itself responsible for various popular measures, “which there was no desire of attributing to it.” Sixthly;—As to the main question, it is observed, that the way to it was smoothed by the disavowals already voluntarily given; nothing more remaining, but to ascertain the *facts* of the case, and *proportion* the reparation to the wrong. Seventhly;—At the same time an unqualified refusal is given to all attempts to couple the question of search with that of the Chesapeake, the British refusing to pay a price for an amicable adjustment, and to make *conditions* for being admitted to a reparation. Eighthly;—When the special mission is announced, it is said, that a treaty on the spot would be preferred; but that a special minister would not be allowed to treat as to the search of merchant vessels. It remains to be shewn how these particulars justify Mr. Madison's assertions; or by what other parts of Mr. Canning's letter they will be justified.

LIBERTY OF THE SEAS is chiefly valued, as including liberty of attending to *commerce by sea*; but what is this, if liberty to commerce is refused by *land*? Our customers do not live upon the seas, but on shore, and within land; and Bonaparte checks commerce, not only by sea, but in ports, and within every European territory, which he can approach. He does not merely check commerce to Britain, or in British commodities, but he checks American commerce, though directed to the

ports of his own allies, as at Leghorn, Hamburg, and other places, where our property has suffered so much by his orders.

But liberty of the seas is only a question *during war*, and will vary in every war. In Russia it varies with every new sovereign, and with every new fancy of each sovereign. It is there that armed neutralities have sprung up, in defence of the commerce of the seas; though the Russians, comparatively, have no merchant vessels. Of course, it has been with Russia a mere political pretext, adopted and rejected as suited her particular views, at the moment—the Russians laughing at the nations which were made dupes by it. They resemble the Virginians, who slight our navigation in theory, and hate it in reality, yet are the hottest for quarreling about it.

After it had been maintained by us, with great zeal, that free vessels made free goods, Mr. Jefferson, while secretary of state, was obliged to abandon the doctrine, on the part of the United States.

France, like Russia and America, under different circumstances, will also equally vary the doctrine. Let France be at war with a weaker maritime power, and France will directly plead against the liberty of the seas; just as she has plead for civil liberty, during the first moments of her revolution, then acted against it, and now openly reprobates it, even in words. It costs France nothing to pretend, to abandon, to assert and to deny. Lastly, we ourselves, who now plead for the liberty of the seas, because it would benefit us, as carriers and adventurers, when we become concerned in war, *may* then be as warm against it, as we are now for it. Should the English, on the other hand, now be forced to give up the point, because of their weakness, they would necessarily return to it again, when they were strong, and again in a state of war, as every powerful maritime state will always do. If therefore, we go to war for this principle, it would be in connection with allies, who might change sides during the course of it, or who might make peace between themselves, as soon as we had become a partner in the war; or else the United States might, for the moment, obtain the acknowledgment of the principle, and by

the time the next war came, might see it abandoned by the very parties, who fought for it, or we ourselves might abandon it among the rest. One may as well be fighting for the shape of a cloud, or for the course of the wind ; for neither of these is more variable than some of these pretended principles, as to neutrals, in time of war.

In the course of our recent controversies with Britain, the character of our administration and its influence on the temper of the country, has been distinctly marked by the manner in which both have been affected by the Berlin Decree and the retaliating orders ; the first interdicting all our commerce with the British Isles and the second with the European ports under the power of France.

For a considerable time after the promulgation of the former, it was uncertain how the French government would interpret its own decree, which seemed to have been composed with a *studied* ambiguity ;—the impatience of the Emperour, however, disclosed in September last, his determination to subject Neutrals to all the rigours which the terms of the decree imported. There was from that time no reasonable doubt that our ships would be liable to the penalties of disfranchisement and forfeiture for violating a blockade, *which could exist only by a Proclamation*.—Under these circumstances, the British government issued their orders of Council to retaliate on their enemy the measures he had adopted against them, and thus the commerce of neutrals, with each of those powers, is proscribed by the other.

It is important here to remark the singular complacency we have manifested under the Berlin decree, as if we had reserved all our indignation for the British orders ;—but these opposite sentiments, so plainly misplaced, are not more extraordinary than the reasons by which they are sometimes vindicated.

It is urged as an apology for the French, that they cannot perpetrate on the sea, all the violence they threaten, while the British orders may be executed in a manner that leaves little or no room for escape. It is stated, that against capture by French cruisers, of our vessels bound to or from an English port, insurance

might be effected for five per cent. while on the other hand, those bound to or from a French port, could not be insured against English cruisers for fifty per cent.—These facts being admitted, let them be applied to the known principles of public law;—*that law which, when it sanctions the practice of blockade, takes care to confine its rights and privileges strictly to those who actually make an investment by such a naval force as can prevent or punish transgression.*

But enough is said on this point to prove, that the Berlin decree cannot be justified or even palliated on ordinary principles; there has, however, been a pretended excuse for it, set up in the plea that the British rule of 1756 was such a new and extravagant doctrine, as would authorize the French to stop all trade with Great Britain.—One of the Edinburgh Reviewers has advanced something like this in October 1807, and it has been repeated by a senator of the United States in a public letter. As the former writer had discussed the general principle with no common ability in April, 1806, and the latter must have had opportunity to examine it fully and to profit by the lights of others, it may be thought extraordinary that such a groundless plea should be so pertinaciously maintained.

Both these writers ought to have known that by the maritime code of France, promulgated in the beginning of the last century, and its essential principles sanctioned anew, in 1744 it is declared, that all property laden in the port of an enemy by a neutral, and bound to any country whatsoever, except the country of the said neutral, is good prize, although the property should bona fide belong to the neutral;—and that every article, the growth or manufacture of an enemy, found going from a neutral to an enemy's port is also good prize; which, with other declarations and provisions of a similar spirit, and some still more severe toward neutrals, are vindicated on the ground of a right, thus to injure the commerce of an enemy. It is not proposed here to examine the merits or demerits of these various claims of belligerents, nor to show what is or ought to be considered as the law of nations, in regard to the conflicting claims of neutrals and belligerents, but to shew that the charge

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against Great Britain, of having set up new and extravagant doctrines, is not supported by the history of facts. The right of a belligerent to prevent a trade not open to neutrals in peace is *not a new claim*; and although it is difficult to enforce it in some cases, without encroaching on the acknowledged rights of neutrals to carry on their accustomed trade; therefore its exercise ought to be limited. Yet, it is certain, that in one important branch of trade, the right of prohibition is allowed to the belligerent. The Russian treaty of 1801, admits that the trade of an enemy colony with its parent state, may be lawfully interdicted by the belligerent. Whoever, with this fact, will recollect the circumstances of the times, and the chivalrous spirit with which Russia has for thirty years offered herself as the champion of neutral rights, must be convinced that this point could have been yielded by Russia, only to a demonstration of its propriety.

It is well known that Bonaparte had formed a precise plan for distressing Britain, which he caused his European dependent allies to adopt, and the state in which we now are, seems to put us fairly in a class with those allies. We have passed laws to prevent the introduction of the commodities of Britain; we refuse the supply of her Colonies in American, English and even neutral Vessels, and by land as well as by sea; we deny the use of our ports and even common hospitality to her Ships, while our harbours are open to the Ships of every other nation. Now all this is little short of what is done in Europe. It is much more however than the people of the United States would have been willing to do, if they had not been deceived, and in some sort, taken by surprise; or if what is done had been proposed at once, instead of being the effects of several measures, the motives of which were not understood,

Such is the agreement of our conduct with French wishes, as to trade and intercourse with the British. But Bonaparte has demanded *tribute* in addition: and he has got tribute from us, as he has got it from many nations in Europe; but this, like every thing else obtained of us by him, he has got under false names. "France" says Mr. Madison, "wants money and must have it"; for Mr. Madison has perfect intelligence of what France wants, though the intelligence is refused to Congress.

In addition to the list before given of the measures adopted by our government to injure England, let us now enumerate those which have furnished Bonaparte with tribute. Thirteen millions balance of the payment for Louisiana;—two millions more for secret purposes; and three quarters of a million reported to be due, for Besumarchais's claim; besides a surrender of all claims of indemnity for spoliation.—These are the sacrifices we make to propitiate Bonaparte.

But the EMBARGO is a new subject to explain the temper and character of Mr. Jefferson. It has long been wished by some to have the trade between the United States and the rest of the world, at all times, carried on in foreign vessels, that all the quarrels attendant upon navigation might rest with foreigners. Mr. Jefferson says "perhaps to remove, as much as possible, the occasion of making war, it might be better for us to *abandon the ocean altogether*; that being the element whereon we shall be principally exposed to jostle with other nations: to leave to *others* to bring what we shall want, and to carry what we can spare. This would make us *invulnerable to Europe*, by offering none of our property to their prize, and would turn all our citizens to the cultivation of the soil; and I repeat it again, *cultivators of the earth* are the most virtuous and independent citizens."

But let us now look back to Mr. Jefferson's practice, compared with his theory, that we may judge of his consistency and sincerity. He excludes foreign vessels from American ports; puts an end to the exchange of home commodities for foreign; and would create manufacturers in America. But say the President's friends, by shutting out foreign merchant vessels, he designs to bring such distress on the nations at war, in Europe, that they will restore to us our *neutral* trade; the interruption of neutral trade being, in effect, the constant subject of his complaint. Thus Mr. Jefferson wishes the United States to carry on *all the trade of the world, in war time*; a time when trade is known to be so dangerous; while he makes light of the trade that is purely our own, and which might readily pass. To obtain a temporary possession of the most precarious of all trades,

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He would voluntarily abandon the safest, and even annihilate that carried on by *land*. As a temporary expedient also, he would adopt the policy of manufactories, at home, which is never accomplished but upon the most permanent basis, and after great sacrifices.

Mr. Jefferson says that the husbandman and mechanick must live side by side, till the demoralizing tempest in Europe has spent itself. But does not Mr. Jefferson know that all experience is against the success of manufactures in a country not prepared for them, by the multitude and poverty of its labourers. Manufactures are usually confined to populous countries, possessed of capital, and of opportunities for obtaining raw materials; the system seldom succeeding but when it is extensive, and after it has been continued many years. So true is it that manufacturers are not easily *formed*, daily experience has shewn that manufacturers cannot in general be imported, from other countries into America and employed as such with any lasting success. Mr. Jefferson, however, must not pretend that foreign articles are bought altogether with the products of *agriculture*, when he sees in Mr. Gallatin's Reports, and daily experience, that navigation, agency, commercial speculations, fisheries, lumber, pitch and tar, potash and other modes of paying foreigners are employed, in addition. America, however, wants articles, which *domestick manufactures cannot furnish*, as not being of the nature of manufactures or as coming from abroad. The tropical fruits and products, as coffee, sugar, and many other articles required in the middle and northern states come from foreign countries. So do the raw materials of many of our important manufactures; as a principal part of our iron and copper and all our tin. If we enter into a war with Europe, while the United States remain scantily provided with roads and canals, and have few rivers running north and south, the southern states cannot easily send their cotton, rice, tobacco and indigo to the north; nor can the middle states easily distribute their flour to the rest; nor will the northern states return woollens, even though they should have sufficiently increased their sheep and weavers, to furnish a supply of these.

But before the new arrangements take effect, what is to supply the wants of this great people, occasioned by the interruption of all intercourse with other countries? what is to become of the immense property devoted to the pursuit of the old system; as shipping, warehouses, wharves, and the professional habits of seamen, fishermen, merchants, storekeepers, clerks, &c. And when things shall return to their channel, after the demoralizing tempest in Europe is over, who is to pay for the abandoned loom and workshop, and for the time lost in learning new trades, and the clumsy work then on hand, which will have lost its markets?

Read, too, what Mr. Jefferson says of the virtues of the husbandman, and the vices of the manufacturer, and see how far it agrees with his praises of his new system. "Those who labour in the earth (says he) are the chosen people of God, *if ever he had a chosen people.**** Dependence on manufactures begets subservience and venality; suffocates the germ of virtue, and prepares fit tools for the designs of ambition. While we have land to labour then, let us never wish to see our citizens occupied at a work bench, or twirling a distaff. Carpenters, masons and smiths are wanting in husbandry: but for the general operations of manufacture, let our workshops remain in Europe. It is better to carry provisions and materials to workmen there, than to bring them to the provisions and materials, and with them, their manners and principles. The loss of the *transportation of commodities across the atlantic* will be made up in happiness and permanence of government." (For these passages see Mr. Jefferson's notes on Virginia.)

There is one way only of making all these contradictions consistent; which is to suppose it to be a settled plan with Mr. Jefferson, that Great Britain is to be injured; though in doing it, a smaller injury should arise to France and Spain, and a still greater one to our own country. In this way we can explain the several inconsistencies, of undervaluing commerce and navigation on one hand, and struggling for an undue share of them on the other; of complaining of interruptions to trade by sea; then needlessly multiplying those interruptions by sea, and add-

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ing those by land also; of pretending to wish for peace with all the world, by a modest, inoffensive conduct, and then throwing obstacles in the way of settling a mere point of honour, with Great-Britain; of punishing upon that devoted nation the disavowed act of an individual, and of confounding the two ways of repairing the wrong, and after taking the worst of the two ways, (that of self-reparation) rejecting the offer of reparation offered by Great Britain herself. Here is the secret then of prohibiting British imports and exports, and shutting their men of war out of our harbours; and here too is the secret of paying tribute money to France.

If we are asked, whence arises this enmity to Great Britain, the reply is easy. It partly depends on old prejudices, operating with the President against England, and in favour of France; partly from his belief in the speedy downfall of England; and partly on his design to hold Louisiana, without a quarrel.

Mr. Jefferson's prejudices against Great Britain, and his attachment to France, with the causes of each, are too notorious to be dwelt upon. He certainly would never have repaid the Bérceau for England; and he never would have resisted the apologies of Mr. Canning and Mr. Rose, had they come from France. He would hear of the ruin of England with complacency, and be overwhelmed with the downfall of French power.

This deference for France is indulged, without any mixture of prudence or decency. An excess of power, in France ought to prevent measures calculated to weaken England, her only remaining opponent; and a fear of France ought to arm us at every point. But we neither respect England nor ourselves, on this occasion. The grossest calumnies and the most horrid imprecations, as false and foolish as they are foul, are uttered against England every day; while the democratick papers are incessantly applauding France. A *Chronicle* writer represents her as benign, and says, we ought to join in placing the French at the head of a federal alliance against her. The *Aurora* calls England, Babylon; and says that she ought to be torn to pieces, and scattered on the wings of the four winds; and considers the late letter of Champagne, friendly and liberal.

That these and other writers should speak as they do is explained on an easy principle; a principle on which they would cry up Bonaparte against Mr. Jefferson. But is Mr. Jefferson to take this ground? Is he ready to sacrifice, if he could, by a single stroke, the pride, the interest and the confidence of America, along with the liberties of the Universe. He knows that England is harmless, and that is the very reason for insulting her. With France there must be a struggle, and he would kiss the rod rather than provoke it. For this very reason, on the contrary, ought our whole nation to be armed. But alas! that is a prohibited measure. We might become too strong at home for the wishes of our foreign ally, or of those who may want to destroy our liberties, by the aid of foreigners. The United States, then, must for the present have a Gun-boat-navy, a petty war establishment, and puny fortifications, till they have leave to do more, or till it may be too late. Yet peace in Europe may be concluded in six months, and in six months following, Bonaparte's armies may arrive here, conveyed by his navy, and be connected with Spanish armaments.

With what ease fictitious quarrels may be conjured up to give pretext to war is known to every body. The messages of the President to Congress against Spain will not be forgotten; the supplies to Saint Domingo before and since the prohibitory act; the victories over the Insurgent and Berceau; the quarrels between our citizens and the French and Spaniards at New Orleans and along the Mississippi; the claims of Americans to lands which, it is pretended were never sold them, both on the east and west side of the Mississippi; the sums that it will be said are due to France, for having humbled England, and defended the liberty of the seas, which, at one time, America had abandoned; and even the ingratitude of not having assisted France during and since her revolution in her quarrels with England: these and other pretexts will be offered, which it is needless further to enumerate, since France has shewn, in a hundred instances that she can act *without* pretexts.

But it is more important to look at the real motives which will impel France to act; and none more stimulating can arise than those offered by the purchase of Louisiana. Spain and

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France, united as one, will never permit a bold, active, restless, multiplying nation, like the American, to remain within a few days march of some of her mines of the precious metals; nor in the way of spreading sedition among her subjects. She remembers how near Aaron Burr was to succeeding, which shew that there is danger, even from the *individuals* of our country. But a new and considerable alarm is offered by the discovery that some of the southern parts of Louisiana may be made into a colony for raising sugar, rum and other tropical productions; a colony which the British cannot easily attack; which will never want provisions, lumber or ships, either in peace or in war; which may be cultivated to any extent and must outstrip the West Indies; a colony, in short, of which Mr. Jefferson fondly but weakly sung the dangerous praises. The whole European system of colonization, under a *mother country* is, indeed put into jeopardy, by a nation established in the new world, on independent and republican principles, and which threatens equally by its power or its example to detach the dependent colonies from their relationship to Europe. This is a jealousy to which a man like Bonaparte must be particularly sensible; his plan being to subjugate the world; and particularly America, because this Continent, in all its parts, has always been considered, among the Princes of Europe, as a mere appendage to the European governments.

But to take the matter in a yet larger point of view; a man with the haughty passions of Bonaparte will not bear to see a new republican nation, calling itself the *second* commercial people, and leaving France to name herself the *third*. Can he see sixty thousand seamen attached to a confederated government, and placed in a condition so commanding as that of the United States, and bold and skilful enough to beat his own ships at sea, in equal combats; and not wish at least to divide it? When he knows that they double their numbers in twenty five years, and have a passion for sea affairs, will he not wish, not merely to divide, but to crush such a nation? Why has he such an enmity to Great Britain, but because it resists him; because it is a nation more commercial and maritime than France, and therefore

arrival to France in points so essential to general dominion, as the world now stands constituted? Of course, these arguments apply with still greater effect to a new and growing nation. There is something in Republicks, also, peculiarly offensive to a tyrant: they can have the energy of despotism, with much more permanence and resource. Republicks, by preferring to look to the people, are a reproach to men, who never think of any but themselves. The United States, in a word, must have cause of apprehension from Bonaparte, for Bonaparte has cause of apprehension from the United States. But Bonaparte has *uses* for all our resources, as he has uses for all his dependents. Americans, if conquered, will be called upon to man his navy; to furnish him with transports to convoy his troops to places the most distant; to yield him provisions; to give supplies to his colonies; to aid him with recruits and horses for his armies, and to pay him taxes. Yes, the nation which fought Great Britain for a stamp Act, must be called upon to pay *military* taxes, of a magnitude which will deprive them of their very capitals. Portugal, after paying tribute and shutting her ports, was not the less called upon to abandon to France its public government, as well as the fortune of all its individuals.

Can any thing of this kind be expected or feared from England? England, some years since, did her utmost, and was expelled from our territory. It is indeed certain that England can never affect our safety, though she may our convenience. England, except in India, has never assumed the tone and habits of a conqueror, since she was driven from France, some centuries ago. At each peace, some trifling dominions have been gained or lost by her; but her great strength has arisen from her commerce, her colonies, her agriculture, her liberty, and her seamen. In all the quarters of the world, put together, out of India, she has not conquered and kept, during an entire century, a single million of people. Compare this with what Bonaparte has done in eight years without a navy; and recollect that peace with England gives him a new career on the seas; and that he will then set out to conquer by sea, as he has conquered by land.

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What can be said of an administration at Washington, which is so erroneous in its politicks, that it hugs the lion, which is to devour it, and endeavours to ruin the only power there is that can keep the lion in awe? When President Adams boldly published the letters which demanded tribute, he set the continent in a flame, and French partizans were silenced. Mr. Jefferson probably now conceals letters of this description, and tries to set the continent in a flame against Great Britain. What a contrast!

As to making the lion friendly; tyrants have no friends. Friendship, justice, virtue, science; none of these are the objects of tyrants. A tyrant has nothing in view but dominion and glory. Dominion is offered by America; and the glory of Bonaparte will seem interested in acquiring that dominion. Principles of honor towards America are utterly out of the question. It will be matter of cruel jest and sarcasm to Bonaparte to state how America has been duped, and what sums she has paid; and that, by paying back a part of her own tribute to venal writers, power has been obtained to levy fresh tribute money. To have deceived America will be called a stroke of policy, and Bonaparte will boast of it, as a rake boasts of the seduction of credulous innocence, or the warrior of his stratagems, and the politician of his intrigues.

Perhaps there can be nothing more in point, than a case which ought to be well known to Mr. J. Q. Adams, as having been American minister at Berlin—that of the king of Prussia. We need not be stopped by the remark, that the several kings of Prussia have been petty Bonapartes, in their way; and that several kings of Prussia have uniformly conquered or deceived others; for the present king of Prussia never conquered nor deceived Bonaparte; and his subjects were the victims, not the companions of his own malepractices. Consequently Bonaparte had no excuse for what he did against Prussia. By a Manifesto, which will descend to posterity, when party writings shall be forgotten; by a Manifesto almost unrivaled in history for its materials and its talents, Bonaparte's honour was appealed to: and what was Bonaparte's answer? My brother of Prussia never

can have read that long paper of his minister; its writer does not understand French. Does Mr. Jefferson write shorter manifestos, or better understand French; or has he a better cause, as between man and man? He was not earlier to acknowledge the sovereignty of Bonaparte than the king of Prussia, nor more faithful as an ally; yet Prussia was first entangled with her allies, by the policy of Bonaparte; then surrounded by troops and driven into war; and some of her generals and ministers being corrupted, the war was soon terminated by immense concessions. But the peace was as treacherous as the war; the king is not allowed to govern the remnant of his dominions, nor even to return to his capital; but still remains in one corner of his kingdom, dreading the still further losses of liberty and life. This is the usual consequence of hunting with lions. Holland, Switzerland, the Italian governments, Rome, Portugal and Spain, have all followed or are following the same course, by rapid steps. And Mr. Jefferson hopes to escape! Bonaparte would conceive it an affront upon his understanding, to have it supposed possible that we can escape. Mr. Jefferson presides over too dangerous a country, not to be sacrificed, and his country with him.

A pretext is now to be noticed in contradiction to those who say, difficulties in our trade are in consequence of the British Orders of Council. The *Embargo* was laid before the orders of council were known; and the *nonimportation act* was passed before they were contemplated. Thus the stoppage of American trade, *inwards and outwards*, had nothing to do with the orders against which there is so much complaint; and much as these orders are complained of, they are less objectionable than the decrees of the French, which are restrictive, retrospective, and insulting, in a degree, never before exemplified. The famous orders of the British at the beginning of the French revolution were issued under circumstances which strongly indicated a disposition in the people of the United States, to take a part in the war, on the side of France; but after the pacifick determination of our government was fairly known, they were soon departed from; and the injuries under them, in some measure

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atoned. But there is this further difference between the *former* British orders and the *present* French decrees ; namely, that at first, the French were considered by European nations as *rebels and insurgents*, and as not entitled to the common usages of war ; just as this free country consents to consider the negroes in Saint Domingo as insurgents, from whom supplies may be lawfully withheld, *by an act of Congress*.

The dispute respecting neutrals will be best seen in a familiar point of view. When nations go to war, the principle of destroying each others property, comforts and persons, is usually limited by certain rules ; and the writers on the law of nations collect these rules from the great facts which pass in the world, and from the theories which these facts will bear to have connected with them. For those rules, however, to be valid in any given case, it is clear that they must be observed on *both* sides ; and that if one side departs from them, an equivalent, counter-vailing departure is authorized on the other. It is then that the interests of a third party come into view, namely, those of a neutral power. The neutral powers have a right to say, that *if possible*, matters ought to be so adjusted, as that their trade shall not be hurt. But if it so happens, that one of the belligerent powers goes to such extremities, that the other party cannot inflict equivalent restraints, without injuring neutrals, neutrals must suffer ; but then they must be made only to suffer in a manner, which shall shew that, not only the first, but the sole intention of every restriction is to hurt the *enemy* and not the *neutral*. Active neutrals, in general, may reasonably expect to enjoy as much trade as before the war ; but if they are not content with enjoying *as much* trade in kind as before the war, and *much more in quantity*, but ask to be admitted to enjoy *new branches of trade*, with one party, (such as the colony trade) which will destroy the balance between the belligerents, then the other party may interfere to check this. Nor is it any thing unreasonable for the party which checks the colonial trade of its enemy under a neutral flag, to open its own ports to the same flag ;

for while this is a convenience to the belligerent, it is a like convenience to the neutral ; as is proved by neutrals availing themselves of the licence given for this purpose. If the antagonist attempts to prevent this, it is the affair of the neutral to determine whether it will pursue the trade under this risk, or abandon it. Thus it appears that the pompous reference to books, to the rules of 1756, to armed neutralities, and to the prior conduct of either of the belligerents, is made upon a false principle. When wars depart from common principles, the true rule to go by is the mode in which one of the belligerents treats the other, where it does not invade the laws of humanity and justice, in points which are paramount even to the rights of man. To make things still more obvious, suppose that I have a pecuniary claim on a shop-keeper, whose trade is necessary to a large tract of country. Will not the law of every nation permit me to seize his goods, and shut up his shop, even if the operation is distressing to all the neighbourhood ? Shall a belligerent then be subject to every possible reproach and inconvenience from a neutral, because the neutral power does not *gain all* she wishes ? If we look at the tables of Mr. Gallatin and Mr. Blodgett, at the increase of the revenue, capital and navigation, and at the low rate of our insurances, we shall see whether, in fact, we have suffered by this war, and whether that nation, which could have easily destroyed our commerce, has done it. It is so far otherwise, that it has been in the mouth of too many of our citizens, that it would be well for the United States, if Europe would always remain at war ! Look at the lead too, which Bonaparte has always taken in restrictions, and the insulting language in which he has always imposed them. Remember, that if he confined himself for a time, to little more than menaces, it was because he had not naval force enough to do as much mischief as he then threatened. His undisguised language however is, that he made the decree in November, 1806 ; and as he knew no limits in favour of neutrals, *when he made it in 1806*, so he knows no limits as to its extension. The persons in France, who had

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pretended to suppose that the decree had limits, were not the proper persons to pronounce upon it.

Let Mr. Jefferson answer these arguments. Let him shew that he has even remonstrated against French and Spanish violences on neutrals. Still more ; let him shew that he has retaliated on account of them as he has retaliated against England. He well knows that he neither prohibits the entry of French goods, nor the entry of French vessels of war ; and if the Embargo is made a general one, it should be remembered, that it would be useless against England, were it otherwise ; because England, in case of open trade, would get the supplies she might need, in defiance of our opposition, either under the name of *shipments to the French*, or as *real* or collusive prizes to her cruizers, or on the well known principle of forcible preemption. The French in the west Indies, accordingly, well understand the trick, and in a publick decree, call the Embargo *a new proof of the friendship of the United States*. When Mr. Armstrong foretold an Embargo, he was a prophet of the safe kind ; foretelling that which he probably knew ; for he might have known, if it were so, that the Embargo was settled with those, whose will would govern. Thus, whether France wants money or wants an Embargo, *France must have it*.

Our numerous writers on the law of nations ought to recollect, that if the United States are ever to take a lead in maritime affairs, they will require the use of the same principles now asserted by England, because the only mode in which a country with many seamen and a small regular army can attack its enemies, will be by distressing their trade. And let it be added, that when they look to *commercial precedents* as a rule for the present day, they ought to say, when they have found in history, that all the kingdoms of Europe have been united against one. A world then divided into two parts, with an impetuous chief at the head of one of the parts, is a new case, which refuses to be tried strictly by old rules. And if

they are politicians as well as jurists, let them recollect how far it has been political in this mighty struggle of one state against many, that a republican administration, at the head of a federation of seventeen republics, should take the part of the many governed, by a single despot, and should have made her commercial regulations and commercial treaties subservient to the subjugation of the LAST state in Europe, which remains possessed of SELF GOVERNMENT.

FINIS.

